

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

<b>NORMAN E. LACEY,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>CASE NO: 3:06-CV-1145-MEF</b>
	)	
<b>CITY OF AUBURN,</b>	)	
	)	
<b>Defendant.</b>	)	

**PLAINTIFF'S WITNESS AND EXHIBIT LIST**

Comes Now, the Plaintiff, Norman E. Lacey, by and through his undersigned counsel of record and submits the following witness and exhibit lists:

1. Exhibit #1-Plaintiff's EEOC Charge;
2. Exhibit #2-Part 1-Plaintiff's Deposition w/exhibits;
3. Exhibit #3-Plaintiff's Resume`and Water Certifications;
4. Exhibit #4-Plaintiff's First Application;
5. Exhibit #5-City of Auburn Welcome Documents;
6. Exhibit #6-City of Auburn Benefits Documents;
7. Exhibit #7-City of Auburn Job Vacancy Posting;
8. Exhibit #8-Opelika-Auburn News Advertisement;
9. Exhibit #9-Lacey's Application for Water Distribution Position;

10. Exhibit #10-Job Description for Water Distribution Manager;
11. Exhibit #11-Lacey Applicant Evaluation Summary;
12. Exhibit #12-Hildreth Applicant Evaluation Summary;
13. Exhibit #13-Hildreth Application;
14. Exhibit #14-City of Auburn In-house Termination Checklist;
15. Exhibit #15-Certified Letter from City of Auburn Benefits Person;
16. Exhibit #16-City of Auburn Employment at Will Disclaimer;
17. Lacey back-pay chart;
18. All documents produced to the Defendant as part of Plaintiff's Initial Disclosures and responses to requests for production of documents;
19. All documents produced by Defendant in response to Plaintiff's Requests for Production of Documents;
20. Any documents listed by the Defendant that have not been produced; and
21. Defendant's answers to Plaintiff's First Interrogatories; and
22. Any document needed for rebuttal;
23. Any documents obtained as a result of the release of Plaintiff's personnel records obtained from Kellogg, Brown and Root;
24. A demonstrative chart comparing Lacey's pay and hours worked v. City of Auburn's pay and hours worked.

**LIST OF WITNESSES**

1. Norman Lacey  
c/o Winston Cooks, LLC  
The Penick Bldg., Suite 203  
319-17th Street North  
Birmingham, AL 35203
2. Eric Carson  
c/o Randall Morgan  
Hill, Hill, Carter, Franco, Cole  
& Black, P.C.  
425 South Perry Street  
Montgomery, AL 36104
3. Mikel Thompson  
c/o Randall Morgan  
Hill, Hill, Carter, Franco, Cole  
& Black, P.C.  
425 South Perry Street  
Montgomery, AL 36104
4. Derek Godfrey  
c/o Randall Morgan  
Hill, Hill, Carter, Franco, Cole  
& Black, P.C.  
425 South Perry Street  
Montgomery, AL 36104
5. Charles Howard  
c/o Randall Morgan  
Hill, Hill, Carter, Franco, Cole  
& Black, P.C.  
425 South Perry Street  
Montgomery, AL 36104
6. Jill Holland

c/o Randall Morgan  
Hill, Hill, Carter, Franco, Cole  
& Black, P.C.  
425 South Perry Street  
Montgomery, AL 36104

7. Kathy Bullard  
c/o Randall Morgan  
Hill, Hill, Carter, Franco, Cole  
& Black, P.C.  
425 South Perry Street  
Montgomery, AL 36104
8. Kyle Hildreth  
c/o Randall Morgan  
Hill, Hill, Carter, Franco, Cole  
& Black, P.C.  
425 South Perry Street  
Montgomery, AL 36104
9. Rick McCarty  
c/o Randall Morgan  
Hill, Hill, Carter, Franco, Cole  
& Black, P.C.  
425 South Perry Street  
Montgomery, AL 36104
10. Scott Cummings  
c/o Randall Morgan  
Hill, Hill, Carter, Franco, Cole  
& Black, P.C.  
425 South Perry Street  
Montgomery, AL 36104
11. Any witnesses listed by the Defendant in its witness list.
12. Plaintiff reserves the right to call any witnesses needed for the purpose of

rebuttal or impeachment.

Respectfully submitted,  
s/Roderick T. Cooks  
Counsel for the Plaintiff

**OF COUNSEL:**

WINSTON COOKS, LLC  
The Penick Building  
319-17th Street North  
Birmingham, AL 35203  
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Fax: (205)251-0231  
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**CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of the foregoing document on all persons listed below by Electronic Mail:

Randall Morgan, Esq.  
Hilll, Hill, Carter, Franco,  
Cole & Black, P.C.  
425 South Perry Street  
Montgomery, Alabama 36104  
334-834-7600

Done this the 19<sup>th</sup> day of , 2008.

/s/Roderick T. Cooks  
Of Counsel